

Extra Info
1/26/09

Steve Ledoux

From: Scott Mutch
Sent: Monday, January 26, 2009 4:58 PM
To: caster523@aol.com; dcampbell@leveldg.com
Cc: Roland Bartl; Steve Ledoux; Manager Department
Subject: RE: 525 Main Street Site Plan Special Permit Draft Decision
Attachments: 525 Main Street Draft Decision 1-6-09.doc

Tim,

Please find attached a copy of a revised Draft Decision for the 525 Main Street Site Plan Special Permit which will be before the Board of Selectmen later this evening for their review and comment. The draft decision has been revised to further address your concerns. To reply to your stated concerns:

Plan Modification note 3.2.9 requests the applicant to correct all plans and documents to be consistent with the proposed use of the structure as permitted under the By-Law.

A finding (2.13) has been added to the Findings and Conclusions portion of the decision which clarifies your concern regarding the existing health club within the structure. The commercial recreation use (health club) was previously approved by Special Use Permit #06/14/05-403.

As per the Health Department, the existing septic system is adequate to support the new addition. The septic system was upgraded in early 2008 and as-built plans are on record with the Health Department. The applicant did not wish to update the plans at this time to accurately reflect existing conditions.

Yes. Section 2.3.4 of the By-law permits the extended land area space to be added into the overall lot area being used to calculate the Floor Area Ratio.

A Zoning By-Law amendment in 1990 modified the zoning district boundaries under the terms of Section 2.3.4.

The Design Review Board's memo dated December 17, 2008 can not entered into the hearing record as it was received after the close of the public hearing on December 15, 2008.

Should you have any comments, questions or concerns regarding this matter or any other, please do not hesitate to contact me immediately. Sincerely,

Scott A. Mutch
Zoning Enforcement Officer & Assistant Town Planner
Town of Acton
Planning Department
472 Main Street
Acton, MA 01720
Tel: (978) 264-9636
Fax: (978) 264-9630
email: planning@acton-ma.gov

From: caster523@aol.com [mailto:caster523@aol.com]
Sent: Monday, January 26, 2009 9:25 AM
To: Scott Mutch
Cc: Board of Selectmen
Subject: Re: 525 Main Street Site Plan Special Permit Draft Decision

Scott

1/26/2009

Thank you for your work and the Boards work on the Site Special Permit and the conditions. I'm pleased to see my concerns, the BOS and Planning Board concerns incorporated into the decision.

The Special Permit Application has Retail listed as its proposed use. A Light Industrial 1 Zone does not allow Retail use. There should be clear documentation of the "mistake" on the Permit.

2.6 lists the existing 10,725 sq being used as office space. Over 3000 sq ft. is being used for a health club which required a Special Permit. Close to 1/3 of the current building is being used outside what the Zoning Use has listed.

At the hearing on Dec 15th the applicant modification on the Sewage system is required. Will that be part of the building permit?

Section 2.3.4 also allows the extended area space to be calculated into FAR calculation?

Conditions 3.3.1

The documentation that was provided during the public hearing did not satisfy the By-Law. They showed common ownership since 1978 which the By Law states it needs to be 1954. Or if there is Amendment changing the Boundaries of one of the zoning districts. The condition is they must provide documentation. What amendment change is being referred too?

I've also attached a letter from the DRB dated 12/17 that was not listed under section 1.2 but was sent to me and the Town Manager on 12/26.

Thank you
Tim Doncaster

-----Original Message-----

From: Scott Mutch <smutch@acton-ma.gov>

To: dcampbell@leveldg.com <dcampbell@leveldg.com>; caster523@aol.com <caster523@aol.com>

Sent: Thu, 22 Jan 2009 4:36 pm

Subject: 525 Main Street Site Plan Special Permit Draft Decision

Tim/Dan,

Please find attached a copy of the Draft Decision for the 525 Main Street Site Plan Special Permit which will be before the Board of Selectmen on the evening of Monday, January 26, 2009 for their review and comment. Unfortunately, the public hearing portion of the proceedings is closed, so no further input from outside sources can be heard or taken in by the Board. As previously discussed and promised though, you are being forwarded a copy of the Draft Decision for your records and review so that both of you are kept in the loop as to where things stand and what is happening with the project/application. Should either of you have any comments, questions or concerns regarding the Draft Decision, please email me back directly with your input before 9:00am on Monday, January 26, 2009 so that I may try and address your concerns prior to the Selectmen's hearing later that evening.

Should you have any comments, questions or concerns regarding this matter or any other, please do not hesitate to contact me immediately. Sincerely,

Scott A. Mutch
Zoning Enforcement Officer & Assistant Town Planner
Town of Acton
Planning Department

1/26/2009

472 Main Street
Acton, MA 01720
Tel: (978) 264-9636
Fax: (978) 264-9630
email: planning@acton-ma.gov

Get instant access to the latest & most popular **FREE** games while you browse with the Games Toolbar -
Download Now!